

AUG 24 2006

PATENT

Serial No. 10/023,110

Amendment in Reply to Final Office Action mailed on July 12, 2006

REMARKS

The following remarks are being filed in response to the Final Office Action mailed on July 19, 2006, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the following remarks and arguments are respectfully requested.

In the Final Office Action, claims 1-5, 7 and 11-16 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,025,837 (Matthews III) in view of U.S. Patent No. 6,124,854 (Sartain). Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Matthews, III in view of Sartain and U.S. Patent No. 5,635,989 (Rothmuller). Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Matthews III in view of Sartain and U.S. Patent No. 5,987,509 (Portuesi). Claim 9 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Matthews III in view of Sartain and U.S. Patent No. 6,367,080 (Enomoto). Further, claim 10 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Matthews, III in view of Sartain and U.S. Patent No. 5,828,402 (Collings).

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It is respectfully submitted that claims 1-16 should be allowable over Matthews III, Sartain, Rothmuller, Portuesi, Enomoto and Collings for at least the following reasons.

Matthews III is directed to an electronic program guide (EPG) with hyperlinks to target resources. When a viewer activates a hyperlink within the EPG, a user interface unit launches a browser to activate the target resource specified in the hyperlink, such as hyperlinks 58 shown in FIG 2.

On page 8 of the Final Office Action, in rejecting claim 10, the Examiner correctly noted that Matthews III does not teach or suggest that the scheduled material is time-locked. Collings is cited in an attempt to remedy this deficiency in Matthews III.

Collings is directed to a method and apparatus to block the reception of television programming based on category information, such as violence or nudity, included in data packets describing television programming. If the contents of the data packets match or exceed stored preferences, such as programmed by parents to limit access to unsuitable programs for their children, then the video signal is blocked. Thus, it is the user who controls what is allowed to be viewed.

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In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 12, amongst other patentable elements, requires (illustrative emphasis provided):

allowing access to the multimedia material in response to a signal from a broadcaster of the scheduled material.

Collings and Matthews III, alone or in combination, do not teach or suggest allowing access in response to a signal from a broadcaster. Rather, any control or access in Collings is provided by the user, not the broadcaster. Sartain, Rothmuller, Portuesi and Enomoto Collings are cited to allegedly show other features and do not remedy the deficiencies in Matthews III and Collings.

Accordingly, it is respectfully submitted that independent claims 1 and 12 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-11 and 13-16 should also be allowed at least based on their dependence from amended independent claims 1 and 12.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of

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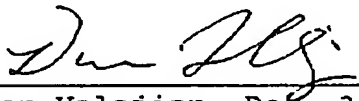
argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded. And in particular, no Official Notices are conceded.

It is believed that no additional fees or charges are currently due beyond the fee for the Request for Continued Examination (RCE) to be charged to the credit card as noted by the enclosed authorization. However, in the event that any additional fees or charges are required for entrance of the accompanying amendment, they may be charged to Applicants' representatives Deposit Account No. 50-3649. In addition, please credit any overpayments related to any fees paid in connection with the accompanying amendment to Deposit Account No. 50-3649.

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In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
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Enclosure: RCE Transmittal
Authorization to charge credit card \$790 for RCE fee

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